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DEPARTMENT OF STATE

BRIEFING MEMORANDUM

S/S

June 25, 1976

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TO: The Secretary

FROM: EA - Robert H. Miller

Major Political Trials in Korea

You will recall that during your June 17 appearance before the HIRC, Representative Fraser mentioned to you the sentencing of another government critic in Korea.

Representative Fraser was apparently referring to a June 17 press report on the sentencing of Presbyterian evangelist Ko Yong Kun. On June 16 Rev. Ko was sentenced to seven and a half years in prison plus five years loss of civil rights under Emergency Measure No. 9 for criticizing the government in a sermon last March.

Trials of minor opposition critics such as Ko, whose church is well out of Seoul and who is not identified with any group of critics of President Park, have become commonplace in recent months. These trials reflect the continuing tendency of the regime to implement the latter of the emergency decree for relatively minor infractions by students, clerics and others who speak out against Park's internal policies. In one such case, four Korean Jesuit seminarians were sentenced for up to five years for writing and circulating an anti-government poem. More than one hundred persons are estimated to have been tried or be awaiting sentences for violations of the political provisions of the decree.

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The most significant political trial in Korea continues to be that of former opposition presidential candidate Kim Dae Jung, former President Yun Po Sun, and sixteen other political and religious figures for a March 1 anti-government statement. The trial has lasted two months and is likely to continue at least another. The defendants are charged with violating the emergency measure and are liable to a maximum sentence of fifteen years. We are hopeful that the ROKG may show some moderation in the sentences in response to the international concern focused on this case, but there has been no indication of moderation thus far.

In a separate legal action, Kim Dae Jung's appeal of his February sentence to a year's imprisonment for minor election law violations was denied recently. Kim argued that the laws under which he was convicted should not have been applied since he was indicted after their repeal. In the event that Kim is not sentenced for his role in the March 1 statement, he would still be liable to serve the sentence which resulted from this earlier trial.

In another major trial, Catholic poet Kim Chi Ha has been accused of being a Marxist, a charge he has repeatedly denied. Under Korea's strict anti-communist law, Kim, as a second offender, could possibly receive a death sentence. Sessions of his trial, which had been suspended for a year, were resumed three months ago.

A third case which is likely to have significant political overtones involves a dozen Protestant clergy and lay activists who have worked among the industrial poor in Seoul. While no charges or arrests have yet been announced, the group has been detained in recent weeks for intensive questioning by the police for possible violation of the anti-communist law. A ROKG attempt to try urban missionaries attempting to improve the urban worker's lot through unionization on communist charges would engender further adverse reaction from US church groups and Congressmen.

In addition, there are continuing espionage and subversion trials of alleged Northern agents. These have not attracted US attention.

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